HIGH COURT OF JUDICATURE CHHATTISGARH : BILASPUR

Single Bench: Hon'ble Shri S.R. Nayak, CJ

Writ Petition No. 6010 OF 2005

PETITIONER — Chhotelal, S/o, Dauram Kurmi Aged about 57 years, R/o Jharradih, Tahsil Janjgir, District Janjgir-Champa (C.G.)

Versus

RESPONDENTS

1. State of Chhattisgarh, Through : Revenue Secretary, Raipur (C.G.)
2. Presiding Officer Naib Tahsildar Janjgir (C.G.)
3. Sub-Divisional Officer (Revenue) Tahsil Janjgir, Dist. Janjgir-Champa (C.G.)
4. Sanat Kumar, S/o Chhatram Dewangan, aged about 25 years, R/o Baloda, Tahsil Janjgir, District Janjgir-Champa (C.G.)
5. Laxmidas, S/o late Dukhudas, R/o Javalpur, Tahsil Janjgir, District Janjgir - Champa (C.G.)
6. Managing Director Indian Oil Raipur, District Raipur VIP Road near Hotel Babylon (C.G.)

Present:

Mr. N.K. Chatterjee, learned counsel for the petitioner.

Mr.Sumesh Bajaj, learned Dy. G.A., for the State.

ORAL ORDER

(Passed on 1ST of December 2005)

What is assailed in this writ petition filed under Articles 226 and 227 of the Constitution of India is an order made by the second respondent dated 26/07/1989 granting the subject land in favour of the

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father of fifth respondent. Admittedly, without challenging that order before the appellate authority the petitioner who claims to have interested in the subject land has approached this Court under Articles 226 and 227 of the Constitution of India. If the petitioner is aggrieved by the order of second respondent dated 26/07/1989, he can work out his legal remedies by way of appeal as provided under the statute.

(2) In that view of the matter, I dismiss the writ petition on the ground of non-exhaustion of alternative statutory remedy. The contentions raised before this Court are left open to be agitated before the appellate authority in the event of the petitioner preferring an appeal in accordance with law. There is no order as to costs.

Sd/-
Chief Justice

Brajesh